

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

**U.S. Bank National Association, as Trustee
for Banc of America Funding 2008-FT1
Trust, Mortgage Pass-Through Certificates,
Series 2008-FT1**

Plaintiff

vs.

Julie A. Beedle and Duane C. Beedle

Defendants

**Citibank (South Dakota) N.A.
FIA Card Services N.A.**

Parties-In-Interest

CIVIL ACTION NO: 1:22-cv-00399-NT

REQUEST FOR JUDICIAL NOTICE

RE:

389 Knowles Road, Belgrade, ME 04917

Mortgage:

September 18, 2003

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NOW COMES the Plaintiff, U.S. Bank National Association, as Trustee for Banc of America Funding 2008-FT1 Trust, Mortgage Pass-Through Certificates, Series 2008-FT1, by and through undersigned counsel, hereby and respectfully submits this Request for Judicial Notice to this Honorable Court.

I. INTRODUCTION

There are three prior Court decisions that will have a direct or indirect effect on the matter currently pending before this Court. One or more of the Defendants were directly involved in each of these matters. One is a prior bankruptcy of Duane C. Beedle and the other two cases are decisions from the Law Court in Maine.

II. LEGAL STANDARD

“[I]t is well-accepted that federal courts may take judicial notice of proceedings in other court if those proceedings have relevance to the matters at hand.” *Medtronic Med. CR SRL v. Feliciano-*

Soto, 58 F.4th 1, 5 n.2 (1st Cir. 2023), *quoting*, *Kowalski v. Gagne*, 914 F.2d 299, 305 (1st Cir 1990); *see also* *Maher v. Hyde*, 272 F.3d 83, 86 n.3 (1st Cir 2001) (same).

III. ARGUMENT

In 2014, Duane Beedle filed bankruptcy in the District of Maine Bankruptcy Court (*In Re Beedle*, 14-10471) which resulted in Bankruptcy discharge issuing July 3, 2017. This matter is relevant to the instant proceedings on personal liability and estoppel grounds.

In 2020, the same parties engaged in state court litigation concerning the exact same note and mortgage and the decision was appealed to the Law Court, and resulted in a decision that directly addressed the validity of one of the mortgage assignments. Although the decision did not dispose of all relevant issues, that decision has direct bearing on this matter. *U.S. Bank, Nat'l Ass'n v. Beedle*, 236 A.3d 433 (Me. 2020).

In 2022, the Defendants engaged in post-divorce litigation which also resulted in an appeal to the Law Court. The decision in the post-divorce matter is relevant to various issues which have been raised as part of this litigation such as personal liability, contribution and the weight to be given certain testimony. *Beedle v. Beedle*, 279 A.3d 399 (Me. 2022).

IV. CONCLUSION

Based upon the foregoing, this Court should take judicial notice of the three referenced cases.

Respectfully submitted this 25th day of September, 2024.

/s/ John A. Doonan, Esq.
Reneau J. Longoria, Esq. Bar No. 005746
John A. Doonan, Esq., Bar No. 3250
Attorney for Plaintiff
Doonan, Graves & Longoria, LLC
100 Cummings Center, Suite 303C
Beverly, MA 01915
(978) 921-2670
RJL@dgandl.com

CERTIFICATE OF SERVICE

I, John A. Doonan, Esq., hereby certify that on this 25th day of September, 2024 I served a copy of the above document by electronic notification using the CM/ECF system and/or First Class Mail and/or email to the following:

/s/ John A. Doonan, Esq.
Reneau J. Longoria, Esq. Bar No. 005746
John A. Doonan, Esq., Bar No. 3250
Attorney for Plaintiff
Doonan, Graves & Longoria, LLC
100 Cummings Center, Suite 303C
Beverly, MA 01915
(978) 921-2670
RJL@dgandl.com

SERVICE LIST

Paul Brunetti, Esq.
Clifford and Golden PO Box 368
Lisbon Falls, ME 04252

Citibank (South Dakota) N.A.
701 East 60th Street, North
Sioux Falls, SD 57104

FIA Card Services
1100 North King Street
Wilmington, DE 19801